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12 Attorneys for Defendant
UNITED STATES OF AMERICA

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LAURA RESNANSKY and KRIS JACOB,

17 Plaintiffs,

18 vs.

19 UNITED STATES OF AMERICA,

20 Defendant.
21
22

No. 4:130-cv-05133-DMR

23 **STIPULATION AND ~~PROPOSED~~**
24 **PROTECTIVE ORDER RE:**
25 **CONFIDENTIAL INFORMATION TO BE**
26 **PRODUCED BY THIRD-PARTY**
27 **GENENTECH INC.**
28

23 Subject to the approval of this Court, the parties hereby stipulate to the following protective
24 order:

25 The parties agree that entry of the following protective order is necessary in order to protect
26 the confidential information of third-party Genentech Inc. Disclosure and discovery activity in this
27 action will likely involve production of confidential, commercially sensitive, proprietary, trade
28

STIP. & ~~PROPOSED~~ PROTECTIVE ORDER RE: CONFIDENTIAL INFO. TO BE PRODUCED BY THIRD-PARTY
GENENTECH INC. - CASE NO. 4:130-CV-05133-DMR

1 secret, salary information, or private information for which special protection from public disclosure
2 and from use for any purpose other than responding to the Subpoena in this matter would be
3 damaging. Accordingly, the parties hereby stipulate to and petition the Court to enter the following
4 Stipulated Protective Order.

5 **STIPULATED PROTECTIVE ORDER**

6 All documents and electronically stored information produced by Genentech Inc. in this
7 action which are designated in writing as being "Produced Under Protective Order" (the "Protected
8 Documents") shall be subject to the following restrictions:

9 1. All information therein shall be used only for the purpose of this litigation and not for
10 any other purpose;

11 2. No information therein shall be disclosed to anyone other than (a) counsel for the
12 parties and their staff; (b) the parties; (c) actual or potential third-party witnesses; (d) outside experts
13 or consultants retained by any of the parties or their counsel for purposes of this litigation; (e) the
14 Court in further proceedings herein; (f) stenographic deposition reporters; and (g) other persons upon
15 whom the parties mutually agree in writing;

16 3. There shall be no reproduction of the Protected Documents except that, as required by
17 the litigation, copies, excerpts, or summaries may be shown to those authorized in Paragraph 2;

18 4. Except as otherwise provided in Paragraphs 2 and 3, all of the Protected Documents
19 produced to the parties shall remain in the custody of the attorneys of record during the pendency of
20 the litigation;

21 5. This Stipulation and Protective Order will cover any and all documents produced by
22 Genentech Inc. in relation to this matter;

23 6. No later than thirty (30) days after final determination of this litigation, including any
24 appeals, attorneys for the parties shall destroy or return to Genentech's counsel all of the Protected
25 Documents produced to the parties, including any copies, extracts or summaries thereof. If the
26 Protected Documents are destroyed, attorneys for the parties shall so notify Genentech's counsel in
27 writing within seven (7) days of the destruction. Notwithstanding this paragraph, however, attorneys
28 for the parties may retain one copy of each pleading and other document filed with the Court that

1 contains any Protected Document; and

2 7. This Stipulation and Protective Order is without prejudice to the right of any party to
3 seek modification of it from the Court. It shall remain in effect until such time as it is modified,
4 amended or rescinded by the Court and shall survive termination of this action. The Court shall have
5 continuing jurisdiction to modify, amend, rescind or enforce this Stipulation and Protective Order
6 notwithstanding the termination of this action.

7
8 DATED: 12/30/14

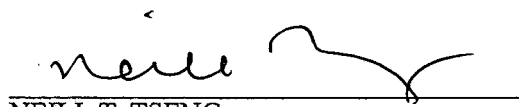
By:


JOSHUA HILL
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GENENTECH INC.

MELINDA L. HAAG
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14
15 DATED: 12/30/14

By:


NEILL T. TSENG
Assistant United States Attorney
Attorneys for Defendant

18
19
20
21 DATED: 12/30/14

By:


DOUGLAS SAELTZER
Attorney for Plaintiff

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24 PURSUANT TO STIPULATION, IT IS SO ORDERED:

25
26 DATED: December 30, 2014


HONORABLE DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE